

OVERVIEW AND SCRUTINY COMMITTEE

Minutes of the proceedings at a meeting of the Overview and Scrutiny Committee held in the Assembly Room, Kendal Town Hall, on Friday, 27 August 2021, at 10.30 a.m.

Present

Councillors

Vicky Hughes (Chairman)
Doug Rathbone (Vice-Chairman)

Pat Bell
Brian Cooper

Hazel Hodgson
John Holmes

Malcolm Lamb
Mark Wilson

Apologies for absence were received from Councillors Eamonn Hennessy, Janette Jenkinson, Susanne Long, Robin Ashcroft, Jonathan Brook, Helen Chaffey and Dyan Jones.

Officers

Claire Chouchoulas	Finance Specialist
Ross Ette	Case Management Officer (Support Services)
Linda Fisher	Legal, Governance and Democracy Lead Specialist (Monitoring Officer)
Gillian Flowers	Procurement Specialist
Claire Read	Finance Specialist
Simon Rowley	Director of Customer and Commercial Services
David Sykes	Director of Strategy, Innovation and Resources
Josh McLeod	Specialist - Bereavement Services

Also in attendance were Councillors Philip Dixon (Customer and Locality Services Portfolio Holder) and Andrew Jarvis (Finance and Assets Portfolio Holder). Alec Proffitt, Policy and Engagement Officer at Barrow Borough Council and Chris Jackson, Regional Director at Northern Rail were also in attendance.

O&S/13 MINUTES

RESOLVED - That the Chairman be authorised to sign, as a correct record, the minutes of the meeting of the Committee held on 09 July 2021.

O&S/14 DECLARATIONS OF INTEREST

RESOLVED – That it be noted that no declarations of interest were raised.

O&S/15 DECLARATION OF THE PARTY WHIP

RESOLVED - That it be noted that no declarations of the party whip were raised.

O&S/16 LOCAL GOVERNMENT ACT 1972 - EXCLUDED ITEMS

RESOLVED –That it be noted that there are no excluded items on the Agenda.

O&S/17 PUBLIC PARTICIPATION

No questions, representations, deputations or petitions have been received in respect of this meeting.

O&S/18 NORTHERN RAIL SERVICES

Chris Jackson, Regional Director from Northern Rail attended the meeting and provided Members with an update on various topics including; the impact of the pandemic, ticket machines and the wider industry picture with a focus on Cumbria.

He began by informing Members that the pandemic and 'pingdemic' had a huge impact on colleagues, particularly conductors which resulted in pre-planned cancellations and a reduced timetable from early August to early September.

He noted that service use was at around 60% of pre-covid levels, with a lot of empty seats still to be filled. He highlighted to Members that work was being done to stimulate demand through things like flash sales of £1 tickets and millions being invested into stations and cleaning.

With regard to ticket machines, he referenced a previous cyber-attack which resulted in the ticket machines being offline for a long period of time. He informed Members that no details were compromised and that ticket efficiency was back up to around 99%.

In terms of the wider industry, Mr Jackson told Members that work was being done to look at the timetabling issues that occurred in May 2018 to see what went wrong and what could be done better in future. He noted that they were currently awaiting a final decision in September and hoped to implement the recommendations in December, following which he would be happy to return and update Members once again. He then highlighted the underreported issue of unwanted sexual behaviour and informed Members that Northern Rail were currently running a national campaign to raise awareness of the issue and re-inforce a zero-tolerance stance towards this behaviour.

He noted that the Rail Industry Recovery Group had created an enabling framework agreement which set out the challenges for industry and how to go about tackling them. He added that the agreement was available online for anyone to look at.

Touching on Cumbria specific news, he informed the Committee that duo tickets had been launched in certain areas within Cumbria, an event plan had been prepared in anticipation of the Cartmel Races, and that accessibility fund monies had been spent on various scheme such as Mindful Days Out in Cumbria and dropped curbs in Silverdale, Cark and Ulverston. He noted that some money was available via Ulverston Access for All, and expressed an interest in meeting with any Members who would like to put forward ideas to make use of the funds.

He finished by noting that discussion had kicked off with Stagecoach regarding joint bus rail integration, which had resulted in a suite of ideas to be submitted as part of the Government's Bus Service Improvement Plan. He also noted that physical timetable booklets had been re-introduced, were well received, and that Stagecoach was considering something similar for bus routes.

Mr Jackson then welcomed comments from the Committee.

Members thanked Mr Jackson for his verbal update and were pleased to hear about the stimulation of demand, as well as the re-introduction and popularity of the physical timetable booklets.

In responding to a question on rail fares and split-ticketing, Mr Jackson responded noting that the rail industry was due a reform when it came to fares. He hoped that there would be a drive towards split-ticketing and more simple fares in the future, finally noting that this would fall under the umbrella of the Great British Railways body which was currently being formed.

Members asked various questions regarding the accessibility of different stations, Mr Jackson responded saying that accessibility was constantly being looked at, but each station would differ in priority. He informed Members that the average costs for station works could range between £2-5 million and that improvement works were often skewed towards areas where match funding could be secured and areas with high footfall. He appreciated that Members wanted to see the improvements for their communities, but concluded by informing the Committee that ultimately expectations would need to be managed and that works would be carried out on a priority basis.

In responding to questions on the amount of Government funding received and cleaning procedures Mr Jackson informed the Committee that around £800 million had been provided by the Government via the Department of Transport, and that this money had been invested into COVID protection measures, cleaning testing and training for staff. He noted that the standard for cleaning had been re-benchmarked, and that additional resources had been brought in to achieve that standard with the resources here to stay for the future. He concluded by stating that the press had a hand in delaying people returning to travel by creating fear around safety, however he noted that the current message was that if people wanted to travel, they could do so safely with Northern Rail.

Members raised questions regarding unwanted sexual behaviour whilst travelling and the treatment of non-fare payers. Mr Jackson responded by reassuring the Committee that currently unwanted sexual behaviour was not a major problem on the train lines, however the campaign was being run to ensure that everyone feels safe to travel. He then went on to note that a consistent approach was being taken to come down on those that don't pay the fares, but again reassured the Committee that staff were trained to use discretion when dealing with more vulnerable individuals.

Members highlighted the cyber-attack mentioned in Mr Jackson's update and queried whether plans were in place to ensure it could not happen again and what lessons were learned. Mr Jackson responded by firstly noting that he wasn't an expert on the technology, however there was a big team working in the background looking at the cyber-attack with their supplier to analyse what went wrong. He concluded by noting that they were in regular dialogue with the supplier and that threat monitoring was a business priority.

In responding to a question on whether Northern Rail worked with large employers in the area, Mr Jackson responded that the North West Business Leadership Team was in regular dialogue with BAE systems, with a dedicated team looking at ticketing and other services for big businesses. He also informed the Committee that they were working closely with Sellafield Power Station who were looking to go car free.

Members also raised questions regarding climate change, and highlighted the major positive impact that rail travel could have. Mr Jackson responded by signposting the Committee to the Williams-Shapps report on the future for rail travel, which was available online. He informed Members that there was also a proposal from the Department of

Transport for battery powered trains and that this could be suitable for the Windermere branches, but an outcome was still awaited. He also noted that hydrogen power was a future option, but not currently in discussion for Cumbria. Finally, he concluded by informing the Committee that the Lakes Loop was still at a strategic outline business case stage and the costs to implement were still being explored.

RESOLVED – That the verbal update be noted.

O&S/19 WORK PROGRAMME 2021/22 AND FORWARD PLAN

The Legal Governance and Democracy Lead Specialist (Monitoring Officer) introduced the report by noting that the Work Programme was agreed at the meeting of 09 July 2021 and that further changes had since been made alongside new items being added from the latest forward plan which was appended to the report. The Committee would need to consider and agree the updated programme.

Cllr Mark Wilson thanked officers for preparing and updating the programme. He then highlighted the lack of confirmed dates for the workshops on the Work Programme and suggested that something be added relating to Local Government Reorganisation (LGR).

The Chairman responded to say that options for LGR updates for Members was being looked at, but ultimately depended on both Member and Officer availability.

The Director of Innovation, Strategy and Resources informed the Committee that LGR was still in the very early stages but those involved were mindful of the need to involve Members in discussions. He noted that the pace of LGR work would be very demanding on Officer time, and therefore could not commit to a series of workshops.

Cllr Wilson then noted the importance of keeping Members up to date, as well as the public. He felt that it was important to consider LGR carefully so as to end up with the best outcome.

Councillors Pat Bell and Brian Cooper both highlighted the importance of the workshop on Affordable Housing, and requested that a date be set as soon as possible. The Chairman noted that it was on the Work Programme and that dates would be discussed and Members updated once set.

RESOLVED – That:-

- (1) The Overview and Scrutiny Committee's updated Work Programme for 2021/22 be agreed; and
- (2) The Forward Plan published on 3 August 2021 be noted.

O&S/20 CHANGE IN MANAGEMENT AND SAFETY OF MEMORIALS POLICY

The Customer and Locality Services Portfolio Holder introduced the report with a short story of how he had shown Tim Farron around Castle Street graveyard noting the various notable individuals who had been laid to rest there. He continued by highlighting the importance of graveyards in representing history, and that he was glad to see the Bereavement Specialist had been brought in to manage them. He concluded by thanking Officers for the excellent report, and informed the Committee that whilst graveyards would become a diminishing problem as more and more people are electing for cremation, they are a great asset and need to be treasured.

The Director of Customer and Commercial Services informed the Committee that they were seeking any views and comments on the Policy. He told Members that the policy sought to ensure cemeteries were safe places for all and provide clarity on the Council's approach to maintenance and management, which he noted was a legislative requirement. He concluded by directing Members to the Bereavement Specialist for any questions.

In responding to a question on whether any memorials came under Historic England's monuments, the Bereavement Specialist confirmed that to his knowledge there were no listed monuments in the cemeteries that the Council owned. He continued by noting that there were listed memorials but these areas were maintained by the Council while the land remained owned by other groups for example in closed churchyards. He concluded by reassuring the Committee that no works would be undertaken without taking the historic value into account.

Members followed this by querying who would bear the cost where a grave or memorial owner could not be identified. The Bereavement Specialist responded by informing the Committee that where an owner could not be identified then the Council would bear the cost of the maintenance works, with all works being reversible should the owner appear in future.

Members also raised questions regarding the level of publicity for the policy changes, the Bereavement Specialist responded confirming that publicity was a key part of the work they were doing and that there were plans for social media updates as well as physical notices in the cemeteries. He signposted Members to Section 5 of the Appendix for information on publicity.

In responding to a question on removal of unsightly containers at paragraph 6.1, the Bereavement Specialist informed the Committee of the dangers of glass containers and confirmed that these would only be removed when broken or defaced. And in response to a question on why flowers could not be planted, he responded noting that plastic and metal planters were permitted, but the maintenance regime of the cemeteries did not permit ground planting as it can affect the surrounding ground.

Members concluded by noting that inevitably some people would be upset with the changes, but that they were ultimately being made in the best interests of all parties and to comply with legislative requirements.

RESOLVED – That Cabinet be recommended to approve the Management and Safety of Memorials Policy.

O&S/21

COUNCIL PLAN PERFORMANCE MONITORING REPORT QUARTER 1 2021/22

The Finance and Assets Portfolio Holder introduced the report, noting he would highlight the key themes rather than going into great detail. He firstly noted that the report demonstrated that South Lakeland continued to be a desirable place to live, work and explore. He then informed the Committee that the pandemic had a clear impact on Council Services, as well as the personal lives of staff and residents and that it would be difficult and dangerous to fully assess many statistics until a more stable period was reached.

He then went on to highlight the impact of the pandemic on Council operations, which had led to a sharp reduction in CO2 emissions. However, there had also been a reduction in waste sent for re-use, recycling and composting and an increase in grey waste alongside a temporary suspension of green waste collection. He followed this by drawing Members attention to concerning figures regarding the number of empty homes and informed the Committee that action had already been taken to increase Council Tax for long term empty homes.

He concluded by thanking Officers for their continued dedication which allows the Council to continue to perform well, particularly during the unprecedented impacts faced over the last couple of years.

Responding to comments and questions regarding retaining youth in the County, Cllr Jarvis noted that retention of young people and families was a key challenge for the Council, as well as Barrow and Eden. He acknowledged that there was no simple solution nor one answer, but things such as the construction of a University Campus in Barrow and development of the rural economy would help improve the situation.

In responding to comments regarding empty homes and homelessness, he informed the Committee that the Housing Portfolio Holder would be best placed to provide answers and that he would be happy to relay concerns to her. He added that bringing empty properties back into use isn't always positive as many can end up as second homes.

Members discussed problems with the level of affordable housing in the area, and issues with residents accessing affordable properties. They agreed that private sector was mainly focused on profit and that Councils have less power to shape development, which was further exacerbated by Central Government Planning Policy. It was suggested that it would be helpful for the Housing Portfolio Holder to attend the Committee to answer Affordable Housing related questions, and that further discussion was needed on how Members can have more involvement in shaping SLDC policy.

Regarding business spaces within Kendal Town Hall, Members suggested a briefing or tour of the redevelopment would be welcomed. They queried whether the building works were progressing as expected and whether any facilities for Members existed in the new building.

Members expressed concern with the figures relating to domestic abuse, noting similar levels to those of 2019/20. It was agreed that it would be helpful to have someone speak on this topic and the Legal Governance and Democracy Lead Specialist (Monitoring Officer) suggested that it be put forward to the Chairman of Full Council for consideration as an agenda item.

Members also expressed concern regarding Ulverston Coronation Hall and Ulverston Markets, as there appeared to be a lack of information available publicly. They highlighted that each year implementation were being pushed back, and ultimately costs were increasing the longer things were delayed. The Chairman then asked the Committee for recommendations to Cabinet and it was agreed that the following questions be put forward for a response:

- What is happening with Ulverston Coronation Hall?;
- How are the Ulverston Markets going to develop over the next two years?;
- When are plans for the Leisure Centres likely to come into action?

RESOLVED – That:-

- (1) the contents of the report and appendices be noted; and
- (2) the following questions be put forward to Cabinet for a response;
 - a) What is happening with Ulverston Coronation Hall?
 - b) How are the Ulverston Markets going to develop over the next two years?
 - c) When are plans for the Leisure Centres likely to come into action?

O&S/22

CORPORATE FINANCIAL UPDATE QUARTER 1, 2021/22

Note – at this point in the proceedings, it was proposed and seconded that the meeting was adjourned for a short comfort break. It was agreed that the meeting would adjourn at 12:34pm and resumed at 12:44pm.

The Finance and Assets Portfolio Holder introduced the report and noted that the review was based on the original budgets as set in February 2021/22, updated for carry forward requests approved by Cabinet in June. It did not reflect recent changes from Cabinet and Council in July. The report aims to provide a split between COVID and business as usual.

He began by drawing Members' attention to the Revenue Budget figures at Section 3.0.1, paragraph 3.1 and Appendix 1. A budget of £679k for the pandemic was agreed back in February and current best estimates for spending were around £305k, however it was too early to have confidence in this level of saving. With cases rising again, it is impossible to be sure what impacts may hit the Council later in the financial year.

He went on to note that 'business-as-usual' expenditure was forecast an overspend of £347k, which came down to continued need to use agency staff to fill vacant posts and loss of income in planning and water inspection services. He also noted that Delivery and Commercial Services was predicting an overspend of £148k due to shortfalls in income relating to moorings, caravan sites and works to contract vehicles. He concluded by informing the Committee that the figure wasn't overly concerning, however officers would need to ensure that it was rectified by year end.

He then briefly drew attention to virements to be approved by Cabinet and a request to delegate power to the Legal Governance and Democracy Lead Specialist and relevant operational leads to enter into grants agreements and amend budgets relating to COVID-19. He then quickly touched on Capital Expenditure, informing the Committee that the revised full year budget was £26.8m, but added that it was very unlikely that the Council will be able to spend this amount due to things like LGR taking up officer time.

He then moved on to other key items within the report, directing attention to Section 3.3 which highlighted continued satisfactory progress with Treasury Management and Section 3.4 which highlighted progress with Council Tax and Non-Domestic rates collection.

He concluded by informing Members that the Council continued to be in a good financial position, despite the impact of the pandemic, and recommended that the Committee note the contents of the report and its appendices.

No questions were raised.

RESOLVED – That the contents of the report and appendices be noted.

O&S/23 ANNUAL PROCUREMENT UPDATE 2021/22

The Finance and Assets Portfolio Holder began by highlighting the importance of procurement for the Council, with around £14m charged to the revenue budget last year and significant Capital Expenditure. He noted that the report highlighted a challenging year due to Covid, with a number of projects being delayed and procurement staff being called into other areas of work. This resulted in reduced procurement activity and the changing of timescales reflected in the Procurement Schedule at Appendix 1.

He reminded Members that a revised Procurement Strategy had recently been approved at Council and adds an additional emphasis on Social Value.

He noted that there were 135 projects on the 2020/21 Procurement Schedule, with 76 carried forward to this year's schedule. Section 3.7 highlighted many of the key projects that the procurement team was involved. Section 3.12 contained a spend analysis with the top 25 suppliers listed in Appendix 2, highlighting a need to focus on procurement in recruitment and spend relating large capital projects.

He concluded by noting that the update Procurement Schedule was included at Appendix 1 and approval by Council allowed officers to undertake the necessary contracting processes without the need for further approval.

Members expressed concern with Grange Lido at section 3.7.5 as figures showed the tenders as coming in significantly above budget and queried why this was the case. The Finance and Assets Portfolio Holder explained that costs were estimated before going out to tender, and with a significant cost increase for the building industry this was not surprising.

Members also raised concerns with projects being put on hold and requested a list of those projects. They were concerned that progress and promises would be lost as a result of further delays. The Finance and Assets Portfolio Holder responded by saying that he would expect a report on the impact of LGR on procurement to come to Overview and Scrutiny, Cabinet and Council and that he wasn't aware of any Portfolio Holders agreeing to project delays at present. He noted however that some projects would need to be reviewed in light of future challenges, but ideally those with the least effect on residents.

RESOLVED – That:-

- (1) the contents of the report and appendices be noted;
- (2) Cabinet be recommended to approve the Procurement Schedule at Appendix 1.

O&S/24 PORTFOLIO HOLDER REPORT - FINANCE AND ASSETS

The Finance and Assets Portfolio Holder explained to the Committee that the latest portfolio holder report was in front of them, and that it contained a great deal of detail that wouldn't be suitable to spend time discussing at the meeting.

He instead wanted to highlight the great achievements of the relatively small finance team, with particular thanks to the Finance Lead Specialist for her leadership. He informed the Committee that on top of their regular workload, they have maintained oversight and control of the Council's finances during a period of great instability.

He also wished to point out the great progress that had been made with the Procurement Strategy and building works to Kendal Town Hall and South Lakeland House.

No questions were raised.

RESOLVED – That the contents of the report be noted.

O&S/25 PORTFOLIO HOLDER REPORT - HEALTH, WELLBEING AND POVERTY ALLEVIATION

In the absence of Cllr Pye, Members agreed to move on to Item 15 with the option of coming back to Item 14 should Cllr Pye have arrived.

Further on in the meeting, Members agreed to take the report as read and that any questions could be sent to Cllr Pye for an answer.

RESOLVED – That the contents of the report be noted.

O&S/26 UPDATE ON LOCAL GOVERNMENT REORGANISATION

Cllr Jarvis introduced the Item, and provided Members with an update based on information from the Director of Strategy, Innovation and Resources.

He noted that Local Government Reorganisation was a complex piece of work to be undertaken in a very short timescale and that whilst SLDC would remain for the next 18 months, power would begin to drift to the new council.

He informed Members that matters were moving extremely quickly, and that the first focus was on getting the Structural Change Order in place as this would define how SLDC operates over the next 18 months. He then noted that the new Chief Executive for Cumbria County Council, Gill Steward, had been appointed as the senior responsible officer for the LGR programme.

He finished by noting that SLDC was looking at how it could continue work as usual whilst preparing for LGR. Reorganisation following a pandemic was a difficult challenge, but staff would work as necessary to ensure everything happens as it needs to.

Responding to Member concerns around lack of information and communication, Cllr Jarvis informed them that a commitment had been made to keep everyone involved and that regular meetings were taking place with the leader of the council as well as the leaders of each political group. He also added that arrangements were being made for political oversight.

Responding to a question on how new services would be picked up, Cllr Jarvis explained that a new council was being built, and that the County Council as well as SLDC would be abolished. Therefore there it would not be a case of existing staff picking up services for other areas.

The Legal, Governance and Democracy Lead Specialist reinforced that the Chief Executive and the Director of Strategy, Innovation and Resources were closely monitoring the governance arrangements around LGR. She reassured Members that things were starting to take shape, and that regular meetings were being held between both the relevant Monitoring Officers and internal leadership teams to ensure business as usual whilst preparing for LGR.

Responding to Member concerns around staff wellbeing, the Legal, Governance and Democracy Lead Specialist informed Members that regular updates and briefings were available for all staff and that the human resources team were always available for staff to speak to.

RESOLVED – That the verbal update be noted.

O&S/27

SOUTH CUMBRIA SAFETY PARTNERSHIP UPDATE

Alec Proffitt, Policy and Engagement Officer at Barrow Borough Council provided a brief presentation on behalf of the South Cumbria Community Safety Partnership. He began by explaining the Partnership's key priorities for 2021/22, these being to: protect vulnerable people; crack down on anti-social behaviour; work with communities to ensure the CSP can be flexible and responsive; ensuring the needs of rural communities are included; and tackling drug and alcohol abuse.

He then provided Members with an update on the crime statistics. He noted that whilst some crimes appeared to have reduced, the figure comparison was against last year during the original lockdown period and crimes would begin to rise as people meet up again.

He went on to note that service demand was returning to pre-covid levels and that police resource was being stretched by the rise in crime as well as the impact of COVID-19 on its staff. Public events that were postponed due to lockdown were now also happening in quick succession, further stretching police resource.

He then touched on the current model being followed by the CSP, which was Local Focus Hubs. He informed Members that there were currently two Local Focus Hubs, one for Barrow and another for South Lakeland. The hubs are multi-agency, currently led by the police but included representatives from both tiers of local government. He mentioned that resources were being looked at ahead of LGR to try and take control of the hubs and that Cllr Pye was looking at this for South Lakeland.

Responding to questions and comments from Members on violence against women and girls, he informed Members that the CSP was currently scoping out an educational project aimed at young men and women from school age but that it was dependant on funding from central government. He also agreed that young men were also victims of the same crimes and that the project was very much built to accommodate young men as well as women.

To conclude, he informed Members that the CSP was currently facing some funding challenges as the Police and Crime Commissioner had withdrawn funding to support Cumbrian CSPs and funding had also been withdrawn for the Domestic Homicide Review resource that was previously provided via Eden District Council. He informed Members that officers from Barrow Borough Council and South Lakeland District Council were due to meet to discuss how they can jointly fund the CSP going forward.

He also briefly touched on the impact of Local Government Reorganisation, noting that the current two district CSP model did not fit the new two unitary geography but that Local Focus Hubs would allow for continued local prioritisation and multi-agency activity.

No further questions were raised.

RESOLVED – That the verbal update and presentation be noted.

O&S/28 CUMBRIA HEALTH SCRUTINY COMMITTEE UPDATE

Cllr Hughes noted she was absent from the most recent meeting of the Cumbria Health Scrutiny Committee and therefore had no update. Having attended the meeting as a member of Cumbria County Council, Cllr Wilson informed the committee that the draft minutes were available on the County Council's website. He noted that all members would receive a letter from the University Hospitals of Morecambe Bay Trust, but other than that there was nothing else to update on.

RESOLVED – That the verbal update be noted.

The meeting ended at 1.55 p.m.